

EXHIBIT 34

Nikolas Manak, Vol 1

June 20, 2017

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE SEAGATE TECHNOLOGY LLC
LITIGATION,

CASE NO. 5:16-CV-00523-JCS

CONSOLIDATED ACTION,

VIDEOTAPED DEPOSITION OF NIKOLAS MANAK
San Francisco, California
Tuesday, June 20, 2017

Reported by: Ashley Soevyn, CSR No. 12019

Job No. 2248

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<p>1 MS. PAYNE: This is Exhibit 36, which is 2 a USPS confirmation. 3 (Exhibit 36 marked for identification.) 4 THE WITNESS: Okay. 5 BY MS. PAYNE: 6 Q Do you recognize this document? 7 A Yes. 8 Q What does this document show? 9 A I'm pretty sure this is the receipt for 10 sending in my defective hard drive for replacement. 11 MS. PAYNE: This is Exhibit 37, which is 12 an e-mail from Seagate customer service. 13 (Exhibit 37 marked for identification.) 14 THE WITNESS: Okay. 15 BY MS. PAYNE: 16 Q Do you recognize this document? 17 A Yes. 18 Q So what does this document show? 19 A This shows that my replacement hard drive 20 from Seagate was delayed due to low inventory, and 21 they will ship when one is available. 22 Q But Seagate did provide you with a 23 replacement hard drive? 24 A Yes. 25 Q Was the replacement hard drive the same </p>	<p>Page 136 1 A Yes, I did. 2 Q Did you rely on any of those statements? 3 A Yes. Both RAID and NAS were my intended 4 usage so I relied on both of those statements. 5 Q Did you rely on statements about AFR? 6 A Yes, I did. I knew I would be using RAID 7 zero, so there was always the possibility of data 8 loss. So I relied on their very, very low AFR, 9 which would mean it was very unlikely I would suffer 10 any data loss. 11 Q Are you aware that the second 12 consolidated amended complaint states that you read 13 the data sheet but it does not specifically state 14 that you relied on statements about AFR, RAID or 15 NAS? 16 A No, I'm not aware of that. 17 Q We're finished with documents. 18 What relief are you seeking in this 19 lawsuit? 20 A I am going to defer to the lawyers on 21 what would be appropriate relief. 22 Q Is there a different amount that you 23 would have paid for the Seagate 3 terabyte internal 24 Barracudas knowing how long the drive lasted? 25 MR. SIEGEL: Objection as to form. Calls </p>
<p>1 type of hard drive that you had returned to Seagate? 2 A Yes. It was the same model number. 3 Q Was it a 3 terabyte Barracuda? 4 A Yes. 5 Q You testified earlier that when the hard 6 drive failed you lost movies. What other types of 7 information did you lose? 8 A Digitally archived copies of my music 9 collection and a few photos. I can't remember 10 exactly of what, but some of my photo collection was 11 on there, and I hadn't recently synchronized it with 12 what was on my personal computer. 13 Q Did you read any statements by Seagate 14 about AFR prior to purchasing the Seagate internal 3 15 terabyte hard drive? 16 A Yes, it was on their data sheet. 17 Q Did you read any statements by Seagate 18 about the use of 3 terabyte Barracuda hard drives in 19 RAID before purchasing the hard drives? 20 A Yes. 21 Q Where did you read those statements? 22 A On the data sheet. 23 Q Did you read any statements by Seagate 24 about the use of 3 terabyte Barracuda hard drives in 25 NAS before purchasing the hard drives? </p>	<p>Page 135 1 for speculation. 2 You can answer. 3 THE WITNESS: I honestly would not have 4 bought them. 5 BY MS. PAYNE: 6 Q And I apologize, we did discuss this a 7 little bit earlier, but I think it would take me 8 longer to find where this is in the record than it 9 will be for me to ask you again. 10 Did you contact Hagens Berman or did they 11 contact you? 12 A I contacted them first and then they 13 contacted me back. 14 Q And why did you contact them? 15 A I've read about the class action lawsuit, 16 I believe, it was on a news story online, and there 17 was a link to their website, so I contacted them. 18 Q Why did you decide to join in this 19 action? 20 A Well, because it was brought up by one of 21 the attorneys and I thought since it looks like my 22 particular experience with those drives, as a 23 representative of the class, that I would probably 24 make a good representative. 25 Q How many times have you spoken with your </p>

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<p>1 MS. PAYNE: No further questions.</p> <p>2 THE VIDEOGRAPHER: This marks the end to</p> <p>3 DVD No. 2 of 2 in the videotaped deposition of</p> <p>4 Nikolas Manak and concludes today's testimony in the</p> <p>5 matter of the Seagate Technology consolidated action</p> <p>6 litigation.</p> <p>7 The time is 3:33 p.m. and we're off the</p> <p>8 record.</p> <p>9</p> <p>10 (TIME NOTED: 3:33 p.m.)</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 142</p> <p>1 I, the undersigned, a Certified Shorthand</p> <p>2 Reporter of the State of California, do hereby</p> <p>3 certify:</p> <p>4 That the foregoing proceedings were taken</p> <p>5 before me at the time and place herein set forth;</p> <p>6 that any witnesses in the foregoing proceedings,</p> <p>7 prior to testifying, were duly sworn; that a record</p> <p>8 of the proceedings was made by me using machine</p> <p>9 shorthand, which was thereafter transcribed under my</p> <p>10 direction; further, that the foregoing is a true</p> <p>11 record of the testimony given.</p> <p>12 I further certify I am neither financially</p> <p>13 interested in the action nor a relative or employee</p> <p>14 of any attorney or party to this action.</p> <p>15 IN WITNESS WHEREOF, I have this date</p> <p>16 subscribed my name.</p> <p>17</p> <p>18 Dated: _____</p> <p>19</p> <p>20</p> <p>21 <u>Ashley Soevyn</u></p> <p>22 ASHLEY SOEVYN</p> <p>23 CSR No. 12019</p> <p>24</p> <p>25</p>
<p>1 I, ASHLEY SOEVYN, do hereby declare under</p> <p>2 penalty of perjury that I have read the foregoing</p> <p>3 transcript; that I have made any corrections as</p> <p>4 appear noted, in ink, initialed by me, or attached</p> <p>5 hereto; that my testimony as contained herein, as</p> <p>6 corrected, is true and correct.</p> <p>7 EXECUTED this _____ day</p> <p>8 of _____,</p> <p>9 20____, at _____, _____.</p> <p>10 (City) (State)</p> <p>11</p> <p>12</p> <p>13 <u>ASHLEY SOEVYN</u></p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 143</p>